

MOTION BY MAYOR MICHAEL D. ANTONOVICH AND  
SUPERVISOR ZEV YAROSLAVSKY

FEBRUARY 8, 2011

**Related to Set Item 2:**

Phase I of the Governor's proposed realignment consists of shifting nearly \$6 billion in major state program responsibilities to local government. Among the various programs are a set of public safety programs. This phase of the realignment is moving in an expedited fashion because the Governor's goal is to have it before the state legislature in March and to the voters in June.

On Friday, February 4, 2011, members of our board, along with Sheriff Lee Baca, District Attorney Steve Cooley and Chief Executive Officer William Fujioka testified at a Special Assembly Budget Committee Hearing chaired by Assemblyman Bob Blumenfield held at the Hall of Administration. While the county family expressed its deep appreciation for having the hearing in Los Angeles County which granted us a unique opportunity to provide direct feedback to them and the Governor's staff, serious concerns were also raised.

All members of our board, who were in attendance, spoke with one voice in expressing their concerns involving the massive shift of public safety programs to the County. The Sheriff has overcrowded jails and is under constant monitoring by the American Civil Liberties Union (ACLU) and a federal judge. The Chief Probation Officer has enormous administrative and programmatic challenges to overcome, including meeting the requirements of the Department of Justice. Both departments could also face a significant rise in risk and exposure to liability in assuming responsibility of the proposed program.

The Sheriff expressed his concerns and offered suggestions. He cited the state's failure to pay his department nearly \$50.5 million for parole violators and suggested that the state review the county's contract with the Immigration and Customs Enforcement to house federal detainees at Mira Loma Detention Facility as a model program and consider something similar for their housing needs.

**MOTION**

MOLINA \_\_\_\_\_

RIDLEY-THOMAS \_\_\_\_\_

YAROSLAVSKY \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

The District Attorney indicated that the proposal, as it currently stands, will wreak havoc on the criminal justice system and threaten public safety. He shared the fact that the county jails do not have the capacity to house the thousands of prisoners that would be transferred to the county which operates under a court-ordered population cap in an ongoing federal lawsuit filed by the ACLU. The District Attorney also pointed out the fact that the term “low level offender” is a misnomer as it includes very serious felony conduct.

The Chief Executive Officer pointed out the fact that the state’s arrears owed to the county are roughly \$500 million, including \$190 million in approved funding for our public safety agencies under SB 90. He also cited examples of the harmful impacts of the 1991 realignment which grossly underestimated the impacts to local government. Among them was the projection of \$7.3 million for In-Home Supportive Services which has since grown to a whopping \$95 million general fund obligation.

The Committee members seemingly found the dialogue helpful and informative. One member asked the Governor’s staff about the possibility of a more gradual, phased in shift of the programs while another member proposed bifurcation of the Division of Juvenile Justice in lieu of the wholesale shift to the Counties. Following the hearing, the Chairman of the Assembly Committee on Budget, Assemblyman Blumenfield agreed to meet with a core group of our public safety agencies to work towards a realignment proposal that satisfies the state’s budget goal without having devastating consequences on the county and its residents.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Executive Officer to:

1. Send a letter of appreciation to the Assembly Committee on Budget for the February 4<sup>th</sup> hearing; and,
2. Schedule a follow-up Public Safety Realignment Set Item for the board’s February 22<sup>nd</sup> meeting.

WE, FURTHER, MOVE that the Board of Supervisors direct the Executive Director of the Countywide Criminal Justice Coordination Committee to immediately establish a Public Safety Realignment Team, (the Team) consisting of the Department Heads or high level executives from the Sheriff’s Department, the District Attorney’s Office, the Probation Department, the Public Defender’s Office, the Alternate Public Defender’s Office, the Chief Executive Office and the Los Angeles Superior Court.

- A. The Team shall provide this board with a written report of their assessment of each of the programs in the realignment proposal at the board’s February 22<sup>nd</sup> meeting. The report shall include but not be limited to:
  1. An explanation, by program, why it should or should not be shifted to the county;

2. A list of each of the impacted departments per program, their specific role in the implementation process, their estimated fiscal impact and risk and liability exposure;
  3. A set of recommendations and suggestions that will assist the state in achieving solutions to its fiscal crisis and protect the county, its public safety agencies and its residents from severe and unintended consequences. The recommendations should also include areas where exemptions from existing state mandates could enhance the county's efficiency and improve outcomes.
- B. The Team shall also:
1. Convene a meeting with Bob Blumenfield's Office, Chair of the Assembly Committee on Budget, and the other members of the Committee to share the board's policy position and recommendations and work cooperatively towards a mutually agreeable proposal; and,
  2. Report back to the board with the outcome of the meeting, including plans for follow-up meetings as well as new or significant developments, and/or recommendations to the board for further action/consideration.

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MDA:apg